

AB 548 – Testimony
Car-Killed Wild Animals
Before: Assembly Fish & Wildlife Committee
Tuesday, January 5, 2010
2:01 PM
417 North (GAR Hall) - State Capitol

Chair Hraychuck and members of the committee, my name is Tom Van Haren and I am a Conservation Warden with the DNR's Bureau of Law Enforcement. I am here today on behalf of the Department of Natural Resources in support of AB 548.

To understand the reason for this bill, it may be helpful to understand how the state looks at ownership of wild animals.

Section 29.011, of the statutes states: "The legal title to, and the custody and protection of, all wild animals within this state is vested in the state for the purposes of regulating the enjoyment, use, disposition, and conservation of these wild animals."

This statute goes on to state that the legal title to a wild animal or carcass, taken or reduced to possession in violation of the law remains with the state.

Killing wild animals with a vehicle is not a lawful method of harvesting a wild animal and reducing it to ones possession.

In 1975, the legislature created a law that says any person who accidentally hits and kills a deer with a vehicle may retain possession of the deer, if they first have it tagged by the DNR.

This law was later amended to allow other law enforcement officers to also tag such deer. The tags are furnished by the DNR, and the agency returns a copy of the completed tag to the DNR.

It has never been legal for individuals to simply pick up and retain for free other species of wild animals that might be killed accidentally by a vehicle.

Since these animals belong to the state and were not lawfully reduced to ones possession, the departments interpretation of the law and policy has been to either retain such dead animals for department use if needed, sell them if salvageable, or dispose of them. Unsalvageable small animals are normally disposed of by the local highway crews.

This bill will accomplish 2 primary things.

First, this bill will allow individuals who accidentally hit & kill a bear or a wild turkey on a roadway with motor vehicle to retain that animal and obtain a fee tag for it. This would work the same as what happens now for a car-killed deer.

As with car-killed deer, if the driver of the striking vehicle does not want to keep the bear or turkey, any other person present at the scene may request a free tag for the bear or turkey.

If this bill becomes law, it would be our intention to simply revise the current Vehicle-killed Deer Tags which we issue to other local LE agencies to have a check off box for either a deer, bear or turkey. This way additional tags or forms will not be required. Local agencies do not need to respond to the scene just to issue a tag for these animals. They may authorize the person to bring the animal to them, or to take the animal to a specific registration station and obtain a tag for it.

Secondly, this bill deals with the disposition of many species of small game animals.

Under this bill any species which is not protected or endangered, and is **not a bobcat, fisher or otter**, can be picked up and retained by the driver or any other person at the scene, provided:

- a. the season is open for that species and
- b. the person has a hunting or trapping license that authorize possession of that species.

No special tag would be needed to pick up, possess or retain these animals.

Bobcat, Fisher and Otter may not be retained by the vehicle operator under this bill. These are highly valuable special permit species which the department monitors the harvest of very closely.

These 3 are also C.I.T.E.S species, which means they may not be imported or exported from the US without a special C.I.T.E.S tag. The department normally collects and retains the carcass of these animals when killed accidentally by trappers, possessed illegally, or found along the road dead. They normally are not sold or turned over to the vehicle operator or person who finds them, unless the department does not have a need for them. The carcasses are used during our trapper education classes and a special school put on by our agency to train new wardens, wildlife biologists and others on trapper education, how to identify different types of fur, determining method of kill, and how to skin and put up the fur.

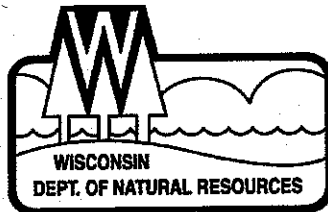
A few years ago the legislature directed that money from the sale of such furs that are prepared as part of our trapper education courses shall be deposited into a special fund to help support the trapper education program.

We would not want to create a situation where these highly valuable species which have a limited harvest quota each year, could be illegally trapped or killed without a special harvest permit and a person could simply claim that they just found the animal dead along the road.

WI DNR Fiscal Year 2007 Report - Car Killed Deer

#	County	Region	Removed by Contractors	Salvaged with Free Permits	Total
1	Adams	WCR	476	90	566
2	Ashland	NOR	118	4	122
3	Barron	NOR	431	33	464
4	Bayfield	NOR	292	20	312
5	Brown	NER	371	100	471
6	Buffalo	WCR	180	16	196
7	Burnett	NOR	213	54	267
8	Calumet	NER	192	36	228
9	Chippewa	WCR	869	35	904
10	Clark	WCR	313	82	395
11	Columbia	SCR	1153	51	1204
12	Crawford	WCR	146	58	204
13	Dane	SCR	1470	158	1628
14	Dodge	SCR	1015	128	1143
15	Door	NER	276	42	318
16	Douglas	NOR	125	19	144
17	Dunn	WCR	553	59	612
18	Eau Claire	WCR	1001	56	1057
19	Florence	NOR	119	1	120
20	Fond du Lac	NER	589	65	654
21	Forest	NOR	109	25	134
22	Grant	SCR	404	48	452
23	Green	SCR	401	33	434
24	Green Lake	NER	482	4	486
25	Iowa	SCR	452	32	484
26	Iron	NOR	125	10	135
27	Jackson	WCR	235	86	321
28	Jefferson	SCR	572	49	621
29	Juneau	WCR	142	89	231
30	Kenosha	SER	203	5	208
31	Kewaunee	NER	258	54	312
32	La Crosse	WCR	488	45	533
33	Lafayette	SCR	287	21	308
34	Langlade	NOR	289	19	308
35	Lincoln	NOR	304	113	417
36	Manitowoc	NER	426	68	494
37	Marathon	WCR	507	241	748
38	Marinette	NER	472	64	536
39	Marquette	NER	567	10	577
41	Milwaukee	SER	115	58	173
42	Monroe	WCR	469	90	559
43	Oconto	NER	304	32	336
44	Oneida	NOR	574	83	657
45	Outagamie	NER	550	138	688
46	Ozaukee	SER	191	52	243
47	Pepin	WCR	151	0	151
48	Pierce	WCR	241	49	290

49	Polk	NOR	439	101	540
50	Portage	WCR	353	87	440
51	Price	NOR	170	54	224
52	Racine	SER	107	15	122
53	Richland	SCR	365	20	385
54	Rock	SCR	503	74	577
55	Rusk	NOR	514	62	576
56	Sauk	SCR	676	104	780
57	Sawyer	NOR	101	19	120
58	Shawano	NER	1195	50	1245
59	Sheboygan	SER	661	124	785
60	St. Croix	WCR	570	76	646
61	Taylor	NOR	386	49	435
62	Trempealeau	WCR	309	15	324
63	Vernon	WCR	323	63	386
64	Vilas	NOR	730	15	745
65	Walworth	SER	501	43	544
66	Washburn	NOR	437	21	458
67	Washington	SER	527	110	637
68	Waukesha	SER	888	219	1107
69	Waupaca	NER	1133	202	1335
70	Waushara	NER	548	2	550
71	Winnebago	NER	229	124	353
72	Wood	WCR	423	103	526
Totals			31308	4377	35685



2008 Report - Car Killed Deer

#	County	DNR Region	Removed by Contractors	Salvaged with Free Permits	Total
1	Adams	WCR	360	64	424
2	Ashland	NOR	103	9	112
3	Barron	NOR	324	32	356
4	Bayfield	NOR	285	33	318
5	Brown	NER	356	86	442
6	Buffalo	WCR	283	32	315
7	Burnett	NOR	218	23	241
8	Calumet	NER	135	31	166
9	Chippewa	WCR	431	31	462
10	Clark	WCR	331	88	419
11	Columbia	SCR	708	37	745
12	Crawford	WCR	85	39	124
13	Dane	SCR	1535	111	1646
14	Dodge	SCR	882	65	947
15	Door	NER	255	11	266
16	Douglas	NOR	120	19	139
17	Dunn	WCR	581	43	624
18	Eau Claire	WCR	527	42	569
19	Florence	NOR	134	4	138
20	Fond du Lac	NER	562	86	648
21	Forest	NOR	157	20	177
22	Grant	SCR	627	40	667
23	Green	SCR	318	16	334
24	Green Lake	NER	426	2	428
25	Iowa	SCR	429	22	451
26	Iron	NOR	98	1	99
27	Jackson	WCR	321	56	377
28	Jefferson	SCR	671	7	678
29	Juneau	WCR	166	62	228
30	Kenosha	SER	107	11	118
31	Kewaunee	NER	266	39	305
32	La Crosse	WCR	485	26	511
33	Lafayette	SCR	215	25	240
34	Langlade	NOR	218	23	241
35	Lincoln	NOR	227	80	307
36	Manitowoc	NER	402	92	494
37	Marathon	WCR	359	158	517
38	Marinette	NER	572	34	606
39	Marquette	NER	510	45	555
41	Milwaukee	SER	270	66	336
42	Monroe	WCR	437	53	490
43	Oconto	NER	301	60	361
44	Oneida	NOR	501	54	555
45	Outagamie	NER	412	123	535
46	Ozaukee	SER	310	35	345

47	Pepin	WCR	182	7	189
48	Pierce	WCR	185	33	218
49	Polk	NOR	496	66	562
50	Portage	WCR	314	58	372
51	Price	NOR	230	46	276
52	Racine	SER	200	28	228
53	Richland	SCR	403	19	422
54	Rock	SCR	484	73	557
55	Rusk	NOR	505	54	559
56	Sauk	SCR	444	58	502
57	Sawyer	NOR	99	13	112
58	Shawano	NER	955	54	1009
59	Sheboygan	SER	704	66	770
60	St. Croix	WCR	424	39	463
61	Taylor	NOR	287	41	328
62	Trempealeau	WCR	417	13	430
63	Vernon	WCR	276	53	329
64	Vilas	NOR	326	39	365
65	Walworth	SER	486	41	527
66	Washburn	NOR	382	50	432
67	Washington	SER	498	117	615
68	Waukesha	SER	1157	168	1325
69	Waupaca	NER	920	107	1027
70	Waushara	NER	517	33	550
71	Winnebago	NER	265	64	329
72	Wood	WCR	353	46	399
Totals			28529	3422	31951



FY 2009 - Reported Vehicle Killed Deer Removed from Wisconsin Roadways

#	County	DNR Region	Removed by Contractors	Salvaged with Free Permits	Total
1	Adams	WCR	287	102	389
2	Ashland	NOR	156	19	175
3	Barron	NOR	199	38	237
4	Bayfield	NOR	284	20	304
5	Brown	NER	369	103	472
6	Buffalo	WCR	227	23	250
7	Burnett	NOR	149	15	164
8	Calumet	NER	142	27	169
9	Chippewa	WCR	418	44	462
10	Clark	WCR	172	89	261
11	Columbia	SCR	708	29	737
12	Crawford	WCR	107	25	132
13	Dane	SCR	1,160	133	1293
14	Dodge	SCR	724	83	807
15	Door	NER	252	38	290
16	Douglas	NOR	184	23	207
17	Dunn	WCR	621	65	686
18	Eau Claire	WCR	406	36	442
19	Florence	NOR	99	4	103
20	Fond du Lac	NER	435	89	524
21	Forest	NOR	181	12	193
22	Grant	SCR	402	56	458
23	Green	SCR	269	28	297
24	Green Lake	NER	309	11	320
25	Iowa	SCR	306	29	335
26	Iron	NOR	52	1	53
27	Jackson	WCR	226	62	288
28	Jefferson	SCR	445	18	463
29	Juneau	WCR	109	50	159
30	Kenosha	SER	160	14	174
31	Kewaunee	NER	182	54	236
32	La Crosse	WCR	369	43	412
33	Lafayette	SCR	215	15	230
34	Langlade	NOR	191	14	205
35	Lincoln	NOR	179	60	239
36	Manitowoc	NER	414	76	490
37	Marathon	WCR	412	141	553
38	Marinette	NER	435	81	516
39	Marquette	NER	376	5	381
41	Milwaukee	SER	199	55	254
42	Monroe	WCR	344	50	394
43	Oconto	NER	342	85	427
44	Oneida	NOR	392	84	476
45	Outagamie	NER	426	166	592
46	Ozaukee	SER	211	25	236
47	Pepin	WCR	126	5	131
48	Pierce	WCR	197	31	228

49	Polk	NOR	363	112	475
50	Portage	WCR	336	78	414
51	Price	NOR	239	27	266
52	Racine	SER	207	18	225
53	Richland	SCR	278	22	300
54	Rock	SCR	408	63	471
55	Rusk	NOR	413	71	484
56	Sauk	SCR	309	56	365
57	Sawyer	NOR	63	28	91
58	Shawano	NER	955	15	970
59	Sheboygan	SER	525	94	619
60	St. Croix	WCR	484	96	580
61	Taylor	NOR	312	38	350
62	Trempealeau	WCR	279	11	290
63	Vernon	WCR	227	37	264
64	Vilas	NOR	269	22	291
65	Walworth	SER	432	43	475
66	Washburn	NOR	313	35	348
67	Washington	SER	655	123	778
68	Waukesha	SER	1083	184	1267
69	Waupaca	NER	815	90	905
70	Waushara	NER	460	51	511
71	Winnebago	NER	242	80	322
72	Wood	WCR	372	97	469
Totals			24,607	3,767	28,374





ANN HRAYCHUCK

STATE REPRESENTATIVE

January 5th, 2010

**Testimony of Rep. Ann Hraychuck
Before the Assembly Committee on Fish and Wildlife
Regarding Assembly Bill 548**

Good afternoon, Chairman Milroy and committee members. I appreciate the opportunity to speak today about Assembly Bill 548.

This legislation would allow a person who has accidentally killed a bear, wild turkey, or other small game animal while operating a motor vehicle on a highway to take possession of the carcass for their use.

Current law only allows a person who hits a deer while operating a motor vehicle on a highway to take possession of the carcass. The person who hit the deer and wishes to keep the carcass must report it to local law enforcement, and then are issued a tag at no cost. This bill simply expands the law to also include bear, wild turkey, and other small game.

Changing this law will lessen the work load for game wardens who are expected to respond, recover the carcass, and dispose of it. Operators of the striking vehicle often want to claim the carcass, and this legislation will allow them to lawfully do so. In addition, this bill may keep our highways cleaner by allowing people to take home and make good use of an animal that would otherwise go to waste.

This bill is supported by the DNR and is a part of the Natural Resource Board's 2009-11 legislative agenda.

Thank you for your time.

